PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PETITION FOR RULEMAKING BY THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION TO ALLOW AERONAUTICAL UTILITY MOBILE STATIONS TO USE 1090 MHZ FOR RUNWAY VEHICLE IDENTIFICATION AND COLLISION AVOIDANCE

RM-11503

Comment Date: December 15, 2008 **Reply Date: December 30, 2008**

On July 29, 2008, the National Telecommunications and Information Administration (NTIA) filed a petition for rulemaking requesting amendments to Part 87 of the Commission's Rules[1] to allow use of the frequency 1090 MHz for runway vehicle identification and collision avoidance. Specifically, the petition requests amendment of Sections 87.131 (power and emissions), 87.133(a)(7) (frequency stability), 87.137(a) (types of emissions), 87.173(b) (frequencies), 87.345 (aeronautical utility mobile station scope of service), and 87.349 (aeronautical utility mobile station frequencies) to designate the frequency 1090 MHz for use by aeronautical utility mobile stations, with limitations on, and technical requirements for, such use. We seek comment on whether to initiate a rulemaking proceeding to consider the rule changes requested by NTIA.

To address growing concerns about the potential for airplane and service vehicle collisions on airport runways, the Federal Aviation Administration (FAA) has introduced the use of airport surface detection equipment. While air traffic controllers are currently utilizing this technology to manage the movement of aircraft on the airport surface, other vehicles such as snowplows, emergency vehicles and maintenance vehicles that routinely operate on the runway movement area are not currently monitored in the same manner, and therefore are not as quickly identified by air traffic control (ATC). NTIA states the proposal would allow ATC to identify service vehicles transiting within the runway movement area and enhance ATC's ability to control both aircraft and vehicle movement, thereby reducing the risk of aircraft colliding with vehicles on the airport surface.

Frequency 1090 MHz is currently used for, among other things, the following applications: air-to-ground communications in the Air Traffic Control Radar Beacon System, a system of ground-based transmitters that interrogate airborne transponders for secondary air traffic control surveillance; and air-to-air communications in the Traffic Alert and Collision Avoidance Systems, an airborne warning system designed to avert mid-air collisions.[2] NTIA states that use of this frequency would expedite the

[1] 47 C.F.R. Part 87.

[2] The frequency band 960-1215 MHz is for the use of airborne electronic aids to navigation and directly associated land stations. *See* 47 C.F.R. §§ 87.187(n), 87.475(b)(6).

development and deployment of vehicle identification capabilities because aircraft are already equipped to transmit on 1090 MHz, so ATC facilities already are equipped to receive the signals.[3] The petition also states that an FAA analysis shows that the use of the frequency by vehicles would not degrade the performance of the existing systems, provided that certain limitations are imposed on vehicle use.[4]

Pursuant to Section 1.405, 47 C.F.R. § 1.405, interested parties may file statements in support of or in opposition to the petition's request to initiate a rulemaking proceeding to consider the above-described rule changes on or before December 15, 2008. Parties interested in submitting replies to such statements must do so on or before December 30, 2008. All statements in support of or in opposition to the petition and replies to such statements should reference the petition and RM-11503, and may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Statements in support of or in opposition to the petition and replies to such statements may be filed electronically using the Internet by accessing the ECFS: http://www.fcc.gov/cgb/ecfs or the Federal eRulemaking Portal: http://www.regulations.gov. Filers should follow the instructions provided on the website for submitting comments.

- For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the rulemaking number. Parties may also submit an electronic statement in support of or in opposition to the Petition and/or replies thereto by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message: "get form." A sample form and directions will be sent in response.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to: Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All

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[3] While the frequency 978 MHz is currently permitted for use by aeronautical utility mobile stations, NTIA states that the development of equipment to receive 978 MHz and integrate it into the proposed system is not mature. *See* 47 C.F.R. § 87.349(e).

[4] The FAA analysis shows that there would be no adverse impact on the performance of existing systems if the number of vehicles transmitting on 1090 MHz is limited to two hundred units and the transmit power is limited to twenty watts. NTIA also proposes that frequency 1090 MHz be licensed for aeronautical utility mobile station use only by airport authorities or entities certified by the FAA, and that each application be coordinated with NTIA through the Interdepartment Radio Advisory Committee.

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- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

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Documents submitted in RM-11503, including the petition, will be accessible via the Commission's ECFS (at: http://www.fcc.gov/cgb/ecfs) by listing RM-11503 in the "Proceeding" search field. These documents also will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

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For further information, please contact Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2155, tim.maguire@fcc.gov.

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